<u>REMARKS</u>

This application has been carefully reviewed in light of the Office Action dated April 12, 2004 (Paper No. 15). Claims 1 to 68 are pending in the application, of which Claims 1, 11, 21, 22, 31, 40, 41, 50 and 59 are independent. Reconsideration and further examination are respectfully requested.

Claims 1, 2, 9 to 12 and 19 to 21 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,209,124 (Vermeire); and Claims 3 to 8, 13 to 18 and 22 to 59 were rejected under 35 U.S.C. § 103(a) over Vermeire in view of U.S. Patent No. 5,459,307 (Klotz, Jr.). Reconsideration and withdrawal of these rejections are respectfully requested.

As an initial matter, Applicants thank Examiner for the courtesies extended to Applicants' representative during telephonic interviews on July 12, 2004 and again on August 4, 2004. During those interviews, Applicants' representative described Applicants' claimed invention in further detail, emphasizing those features that distinguished Applicants' invention over the cited art.

The application concerns digital recording apparatuses such as digital still cameras, digital video cameras, digital audio recorders and the like. A user uses the digital recording apparatus to record sets of binary data related to a common situation. For example, a user may use a digital still camera to record multiple images of a family member at a track and field event. A user may the use the apparatus to enter meta-data used to identify the sets of binary data wherein the meta-data describes the circumstances of the common situation. The meta-data is then repeatedly attached to each member of the sets of binary data for identification of the binary data. Continuing the previous example, the user may enter the name of the family

member and the location of the track and field event into the digital still camera which then attaches the meta-data to each of the still pictures.

Turning now to specific claim language, amended independent Claim 1 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data. The apparatus comprises: meta-data accessing means for accessing meta-data to be used to identify a group of plural sets of binary data; binary data accessing means for accessing plural sets of binary data; and meta-data attaching means for obtaining meta-data identifying a group of plural sets of binary data by using said meta-data accessing means, and then repeatedly attaching the same meta-data accessed by said meta-data accessing means to the group of plural sets of binary data accessed by said binary data accessing means to create the group of plural sets of binary data, every set having the same meta-data, when the recording apparatus accesses plural sets of binary data by said binary data accessing means.

Amended independent Claim 1 has been amended so as to emphasize the feature of the present invention that the same generated meta-data identifying a group of plural sets of binary data is repeatedly attached to plural sets of binary data included in the group to create the group of plural sets of binary data. This results in every member in the set having the same meta-data. This facilitates generating a set of binary data, such as images, wherein each member of the set has same meta-data, such as the name of the subject of the images. (Page 18, lines 11 to 15.)

In contrast, Vermeire discloses, as shown in FIG. 1 and column 5, lines 3 to 17, that an intermediary can reconstruct requests and results between a host using a host language communicating with another host and using a markup language to communicate with users, using meta-data which is defined as information about host computer software application structures,

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for example, file formats. Vermeire also states that the meta-data is blended with either an XML representation of data stored on the host or the native binary data values to generate either an XML representation for use in markup language applications or binary data for use with a host system or.

However, the meta-data disclosed by Vermeire is information about host computer software application structures but is not information identifying a group of plural sets of binary data as does the meta-data of the present invention. That is, as shown in Table 3 of Vermeire, the meta-data of Vermeire has only structural data for reconstructing requests or results between different languages, but has no data identifying a group of plural sets of binary data generated under a common situation.

For example, data in a markup language having the same format is attached to the same meta-data indicating the format, even if the data is transmitted from any of the users. Therefore, Vermeire neither suggests nor discloses that plural sets of data with the same meta-data compose a group. Instead, Vermeire discloses that each member of any plural sets of data with the same meta-data are independent of each other. That is, the plural sets of data only necessarily share the same host and software applications but are otherwise unrelated. Furthermore, Vermeire does not disclose identification of sets of binary data using the same meta-data. This is because the meta-data of Vermeire is information about the host system and the host system's structure, such as a format of each document stored on the host system, rather than meta-data identifying the binary data. Finally, Vermeire neither discloses nor suggests repeatedly attaching the same accessed meta-data identifying a group of plural sets of binary data to plural sets of binary data included in the group to create a group of plural sets of binary data with every member of the group having the same meta-data, thereby identifying the binary data.

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In this regard, Klotz is not seen to remedy the foregoing deficiencies of Vermeire. As stated in Applicants' previous Amendments, Klotz is seen to be directed to the retrieval and storage of information on a medium, wherein an image is stored along with associated encoded information and then recorded on a sheet of paper. (Klotz, Figures 1 & 2; abstract; column 3, lines 44 to 67; and column 4, lines 1 to 26.) In particular, the system of Klotz is seen to recognize a file storage sheet flag 12 on sheets 32, then create an electronic file from the page image, and store the created electronic file with the name into storage 38. (Klotz; Figures 1 and 2; column 5, lines 20 to 67; and column 6, lines 1 to 8.) Klotz is also seen to output file storage sheets from the stored electronic files. (Klotz; Figures 1 and 2; and column 6, lines 9 to 24.) However, nowhere is Klotz seen to disclose or suggest attaching the same meta-data identifying a group of plural sets of binary data to the plural sets of binary data, as in the present invention.

Applicants submit that even if Vermeire and Klotz were combined, for which combination Applicants submit that no motivation or suggestion is seen in the applied references, such a combination would not be seen to teach the foregoing combination of features of the present invention.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance. In addition, amended independent Claims 11 and 21 are directed to method and storage medium embodiments of amended independent Claim 1, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 1.

Amended independent Claim 22 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data. Applicants respectfully submit that the discussion from above with regard to Claim 1 applies equally to Claim 22. Accordingly, amended independent Claim 22 is believed to be in condition for

allowance. In addition, amended independent Claims 31 and 40 are directed to method and storage medium embodiments of amended independent Claim 22, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 22.
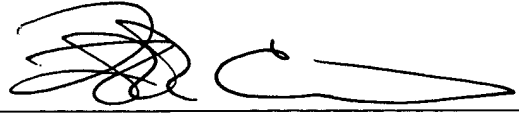
Amended independent Claim 41 is directed to a recording apparatus for attaching, to a set of binary data, meta-data as information identifying the set of binary data. Applicants respectfully submit that the discussion from above with regard to Claim 1 applies equally to Claim 41. Accordingly, amended independent Claim 41 is believed to be in condition for allowance. In addition, amended independent Claims 50 and 59 are directed to method and storage medium embodiments of amended independent Claim 41, and are also believed to be in condition for allowance for the same reasons as amended independent Claim 41.

The remaining claims in this application are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each dependent claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, and no other matters being raised in the Office Action, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at

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Respectfully submitted,

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